IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WP.NO.8830 of 2005

Between:

1 Jakkula. Pedda Jangaiah, S/o. Gundalu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
2 Edulla Ram Reddy , S/o. Mallareddy
Mududandla Village, Chandampeta Mandal, Nalgonda District.
3 Jakkula. Nadipi Jangaiah, S/o. Gundalu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
4 Jakkula. Chinna Jangaiah, S/o. Gundalu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
5 Ydulla Jogireddy S/o. Mallareddy
Mududandla Village, Chandampeta Mandal, Nalgonda District.
6 Yadulla Ram Reddy , S/o. Mallareddy
Mududandla Village, Chandampeta Mandal, Nalgonda District.
7 Yadulla Venkatreddy S/o. Mallareddy
Mududandla Village, Chandampeta Mandal, Nalgonda District.
8 Yadulla Yadhavareddy, S/o. Mallareddy
Mududandla Village, Chandampeta Mandal, Nalgonda District.
9 Annepaka Venkataiah, S/o.Pullaiah
Mududandla Village, Chandampeta Mandal, Nalgonda District.
10 Jakkula. Jangaiah, S/o.Naraiah,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
11 Nakirakanti Narsimha, S/o. Ramulu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
12 Nakirakanti Peddayelaiah, S/o. Ramulu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
13 Nakirakanti ChinaYellaiah, S/o. Ramulu,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
14 Annepaka Ramalingam, S/o.Venkaiah,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
15 Annepaka Niranjan S/o.Venkaiah,
Mududandla Village, Chandampeta Mandal, Nalgonda District.
16 Jakkula. Munnaiah, S/o. Jangaiah,
Mududandla Village, Chandampeta Mandal, Nalgonda District.

..... PETITIONERS

AND

1 The Commissioner, Command Area Development,
Hyderabad.
2 The District Collector, Nalgonda Dist.
3 The Revenue Divisional Officer, Miryalaguda Division, Miryalaguda,
Nalgonda District.
4 The Mandal Revenue Officer, Chandarnpeta Mandal, Nalgonda Dist.
5 The Mandal Revenue Officer, Dindi Mandal, Nalgonda Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the voters list prepared by the respondent No. 5 and the election notification issued through the proceedings No. D2/583/2005 dated 18-3-2005 for conduct of the elections for water users Association of the Territorial Constituency No.3 and 4 of the village Mududandla of Chandampeta Mandal, Nalgonda District as Arbitrary, illegal, null and void and consequently direct the respondents not to conduct the elections to water users Association of the Territorial constituency no.3 and 4 of the village Madudanda of Chadampeta Mandal, Nalgonda District until the voters list is prepared including its names, if the petitioners and as per Rules and to pass such other order or orders as this Hon'ble court may deem fit and proper in the interest of justice.

Counsel for the Petitioners: MR.K.VENUMADHAV

Counsel for the Respondents: GP FOR REVENUE

The Court made the following at the admission stage :(order follows 2nd page)

O R D E R :

This writ petition is filed questioning the voters list prepared by the fifth respondent and the election notification issued through Proceedings No.D2/583/2005 dated 18-3-2005 to conduct elections for the Water Users Association of the Territorial Constituency Nos.3 and 4 of Mududandla (v) of Chandampeta Revenue Mandal,

Nalgonda district, as arbitrary, illegal, void and consequently direct the respondents not to conduct the said elections until the voters list is prepared and the names of the petitioners are included.

The main grievance of the petitioners is that the fifth respondent prepared voters list and the election schedule has been fixed and the elections are going to be held on 25-4-2005 and 26-4-2005 in the entire Nalgonda district and that without there being their names in the voters list the elections for the Territorial Constituency Nos.3 and 4 in Dindi Mandal are completed and therefore they may not have any representation in the activities taken by the Government.

After hearing the learned counsel for the petitioners as well as the learned Govt.Pleader for the respondents and as can be seen from the record it appears that after publication of election schedule dated 18-3-2005 under the impugned proceedings the petitioners have filed this writ petition. It is settled principle of law that when once election schedule is published this court is ceased of the matter and there is no question of entertaining the writ petition under Article 226 of the Constitution of India. The only alternative remedy available to the petitioners is they have to question the validity of election in a proper forum. I see no merit in this writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

2005. ----------

I s L. ELIPE DHARMA RAO , J.

To

1 The Commissioner, Command Area Development,
Hyderabad.
2 The District Collector, Nalgonda Dist.
3 The Revenue Divisional Officer, Miryalaguda Division, Miryalaguda,
Nalgonda District.
4 The Mandal Revenue Officer, Chandarnpeta Mandal, Nalgonda Dist.
5 The Mandal Revenue Officer, Dindi Mandal, Nalgonda Dist.

6 Two CD copies to the Govt.Pleader for Revenue, High Court Buildings,

Hyderabad. (OUT).

7 Two CD copies.